

Attorney:  
JEFFREY A. ROTHMANUNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORKSANDRA GALITZER, AS MOTHER AND NEXT FRIEND OF GWYNN (PLAINTIFF)  
GALITZER

against

CITY OF NEW YORK ETAL;

Index No 05CV7669  
Date Filed 08/31/2005  
Office No JAR01092-24  
(DEFENDANT)

STATE OF NEW YORK, COUNTY OF NEW YORK SS:

ANDREW LINDAUER being duly sworn deposes and says:

I am over 18 years of age, not a party to this action and reside in the State of New York:

That on the 8 day of October 2005 at 8:30 AM, at

92-24 ROCKAWAY BEACH BLVD.;QUEENS, NY 11693-NYPD 100TH PRECINCT  
I SERVED the SUMMONS IN A CIVIL CASE, STATEMENT OF RELATEDNESS, COMPLAINT, JURY TRIAL DEMANDED upon

POLICE OFFICER DONALD NELZI, SHIELD NO. 30324

the defendant herein named by delivering to and leaving a true copy of said SUMMONS IN A CIVIL CASE, STATEMENT OF RELATEDNESS, COMPLAINT, JURY TRIAL DEMANDED

with a person of suitable age and discretion: to wit POLICE OFFICER CRUZ,  
AUTHORIZED TO ACCEPT Deponent described Person served as aforesaid to the best of deponents ability at the time and circumstances of service as follows:

Sex MALE, Color WHITE, Hair BLACK, app.age 30 YRS, app.ht 5'6", app.wt 150 LBS

That on the 12 day of October 2005 I deposited in the U.S. mails a true copy of the SUMMONS IN A CIVIL CASE, STATEMENT OF RELATEDNESS, COMPLAINT, JURY TRIAL DEMANDED

properly enclosed and sealed in a post-paid wrapper addressed to the said defendant at the aforementioned

(B) (place of business marked personal and confidential)

92-24 ROCKAWAY BEACH BLVD.;QUEENS, NY 11693-NYPD 100TH PRECINCT

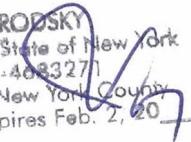
BY FIRST CLASS MAIL. AND NOT BEARING ANY IDENTIFICATION TO A LAWSUIT.

That at the time of service aforesaid, I asked Person so served or Person spoken to whether the defendant herein was in the military service of the State of N.Y. or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid I aver that the defendant is not in the military service of the State of N.Y. or the United States as that term is defined in the statutes or the State of N.Y. or the Federal Soldiers and Sailors Civil Relief Act.

SWORN to before me this 12  
day of October 2005  
ANDREW LINDAUER

License No.: 724 538

:bb

  
JAY BRODSKY  
Notary Public, State of New York  
No. 31-4083271  
Qualified in New York County  
Commission Expires Feb. 2, 2007